

REMARKS

Claims 1-21 were pending in the application and were rejected as follows:

Claim 21 was rejected under 35 U.S.C. 101 because the claim was not limited to tangible embodiments (e.g., computer software program).

Claims 1-7, 9-17 and 19-21 were rejected under 35 U.S.C. 102(e) as being anticipated by Smart et al., U.S. Patent Publication No. 2003/0208691 ("Smart").

Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smart in view of Logan et al., U.S. Patent No. 6,493,680.


Applicants have canceled and replaced previously pending claims 1-21 with new claims 22-43. Applicants believe that claim 43, which is meant to correspond, in certain respects, with canceled claim 21, is properly recited as a program storage device.

Applicants also believe that the presently submitted new claims distinguish over the primary reference Smart for at least the following reasons. Smart is directed to securely printing documents based on print jobs sent over a network. Smart does not pertain to ranking business relationships between digital image service providers and business entities associated with digital storage devices that store images. Therefore, Smart could not anticipate using such rankings to select service providers to be included on a purchase offer presented to a user at an order terminal. Thus, Smart does not anticipate or render obvious any of the independent claims 22, 35, and 43, or the claims depending therefrom. Hence, applicants believe that all of the pending new claims are allowable over the prior art of record.

In view of the foregoing it is respectfully submitted that the claims in their present form are in condition for allowance and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company, Deposit Account No. 05-0225.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.